IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 19046 of 2006
Date of decision: 01.12. 2006

Harbans Singh .....Petitioner

Versus

State of Punjab and Ors. .....Respondents

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr. P.K. Gupta, Advocate
for the petitioner

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ASHUTOSH MOHUNTA, J (Oral)

The petitioner is aggrieved by the order dated 15.11.2006 (Annexure P-2), by which the case of the petitioner, which was pending before respondentNo.2, has been ordered to be transferred to respondent No. 3-Divisional Commissioner, Patiala Division, Patiala.

Learned counsel for the petitioner submits that by virtue of the Notification dated 14.11.2006 (Annexure P-3), issued by the Government of Punjab, the Joint Development Commissioner (IRD), Punjab, is the competent authority to hear the cases relating to the Patiala Division, District Kapurthala and Nawanshahr.

It is contended that this case of the petitioner should, therefore, be transferred to respondent No. 5 instead of respondent No. 3.

Notice of motion.

On the asking of the Court, Mr. C.M. Munjal, Senior Additional

Advocate General, Punjab, accepts notice on behalf of the respondents and he does dispute the fact that the cases relating to the Patiala Division, are to be heard by respondent No. 5.

In view of the above Notification, we set aside the order dated 15.11.2006 (Annexure P-2) and order that this case of the petitioner be transferred to respondent No. 5, who shall decide the same on merits.

Parties are directed to appear before respondent No. 5 on 08.01.2007.

Copy of the order be given *dasti.*

(ASHUTOSH MOHUNTA)
JUDGE

(NIRMAL YADAV)
JUDGE

December 01, 2006
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